

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORKIN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ FEB 16, 2006 ★

D+
C/F

BROOKLYN OFFICE

IN RE:

HOLOCAUST VICTIM ASSETS
LITIGATIONCase No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161 and
CV 97-461)

This document relates to: All Cases

MEMORANDUM & ORDER

Korman, Chief Judge:

I am in receipt of the December 13, 2005 First Appeals Report of the International Organization for Migration (IOM) for the First Group of Slave Labour Class I appeals recommended by the IOM Appeals Body in In Re Holocaust Victim Assets Litigation (Swiss Banks) ("First IOM Appeals Report"). The First IOM Appeals Report includes four appeals that were recommended for payment by the IOM Appeals Body because, on appeal, it was determined that the appellants plausibly demonstrated that they performed labour for the Nazi Regime. Ten appeals are being recommended for rejection because the appellants did not plausibly demonstrate that they were forced to perform labor for the Nazi Regime. All fourteen appellants are Roma. The First IOM Appeals Report advises that in accordance with the Distribution Plan, my Memorandum & Order dated June 28, 2001, and my Memorandum & Order dated September 25, 2002, IOM will be prepared, on or about December 30, 2005 to begin to transfer payments to:

4 members of Slave Labour Class I

All four individuals described in the First IOM Appeals Report as having filed timely appeals that are being recommended for payment, based on the information that was provided in their appeals, satisfy the eligibility criteria as stated in the Swiss Banks Settlement Agreement, the Distribution Plan and the HVAP Rules as adopted by the Court in its implementing orders. IOM has filed with the Court reports

summarizing, for each appellant, the basis for the recommendation of payment and the determination of the IOM Appeals Body. The names and addresses of these individuals have been filed with the Court under seal in an appendix accompanying the First IOM Appeals Report.

Accordingly, in anticipation of the forthcoming distribution of:

USD 1,450 to each of the 4 individuals under Slave Labour Class I;

who comprise this first group of appellants it is hereby

ORDERED that the signatories to the Settlement Fund are hereby directed to transfer USD 5,800 from the Settlement Fund to the IOM-HVAP Citibank Geneva Account to meet the projected distribution as described in the First IOM Appeals Report and it is also

ORDERED that the original decisions concerning the 10 appeals that are being recommended for rejection are unmodified.

I will issue additional orders transferring further sums of money from the Settlement Fund as applications are approved.

SO ORDERED:

s/Edward Korman

Edward R. Korman
United States District Judge

Dated: Brooklyn, New York
December 2, 2005
Feb 2